

REMARKS:

Reasons This Amendment Should be Entered

The Applicants submit that the amendments submitted herein are being made concurrent with the filing of the application. The Applicants respectfully request entry of the amendment to correct minor informalities and to cover material within the scope of the present invention.

Title Amendment

The title has been amended to reflect the scope of claims 21-32.

Claim Amendment

Claim 21 has been amended to recite that the buffer layer is deposited by a technique other than HVPE. This amendment provides a better scope of protection. The applicants submit that support for this amendment can be found in the specification at page 4, lines 14-17. Furthermore, the applicants submit that this amendment does not narrow claim 21 within the meaning of the decision in *Festo Corp. v. Shoketsu Kogyo Kabushiki Co., Ltd.*, 234 F3d 558, 566, 56 U.S.P.Q.2d 1865 (Fed. Cir. 2000).

Specification Amendments

The Applicants have amended page 1 of the specification by changing the title as described above and by inserting a cross-reference to the parent application of which the present application is a divisional. The Applicants have also amended the specification by moving the heading "SUMMARY OF THE INVENTION" upwards by one paragraph to place the last paragraph on page 3 within the SUMMARY. The Applicants submit that it is clear from the face of the paragraph in question that this material always referred to

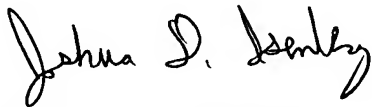
the present invention and not to the background of the related art. The Applicants contend that by this amendment a cosmetic change is being made to avoid the possibility of confusion.

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CONCLUSION

The applicants believe that all pending claims are allowable for the reasons cited above. Thus, the applicant kindly requests that the Examiner reconsider the application and issue a Notice of Allowance in the next Office Action.

10 Respectfully submitted,



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Date: 12/18/2001

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10023910-121801